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ments involving the knowledge of the engineer of plaintiff's position of peril.

[Ed. Note.—For other cases, see Trial, Cent. Dig. §§ 668-672, 674; Dec. Dig. § 267.\* 7 Va.-W. Va. Enc. Dig. 709; 14 Va.-W. Va. Enc. Dig. 562; 15 Va.-W. Va. Enc. Dig. 512.]

**4. Appeal and Error (§ 1002\*)—Review—Verdicts.**—A verdict on conflicting evidence will be disturbed on appeal.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. §§ 3935-3937; Dec. Dig. § 1002.\* 1 Va.-W. Va. Enc. Dig. 470; 14 Va.-W. Va. Enc. Dig. 59; 15 Va.-W. Va. Enc. Dig. 52.]

Error to Circuit Court, Norfolk County.

Action by John R. Sturgis against the Norfolk & Portsmouth Belt Line Railroad Company. There was a judgment for plaintiff, and defendant brings error. Affirmed.

*Thos. H. Willcox*, of Norfolk, for plaintiff in error.

*W. H. Venable* and *R. E. Miller*, both of Norfolk, for defendant in error.

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MAHONEY et al. v. FRIEDBERG et al.

June 10, 1915.

[85 S. E. 581.]

**Deeds (§ 114\*)—Construction—Reservation.**—The owner of land which abutted on a creek conveyed lots adjacent to the creek, bounding them by the port warden's line in the creek as then or thereafter it might be established. At that time the port warden's line had been established, and thereafter land was added to these lots by accretion. It appeared that at the time of the conveyance the port warden's line marked the bank of the creek. Held that, as a deed is to be construed most strictly against the grantor, the conveyance must be held to include the grantor's riparian rights, if any, under the bed of the creek.

[Ed. Note.—For other cases, see Deeds, Cent. Dig. §§ 316-322, 326-329, 388; Dec. Dig. § 114.\* 4 Va.-W. Va. Enc. Dig. 420; 14 Va.-W. Va. Enc. Dig. 321; 15 Va.-W. Va. Enc. Dig. 270.]

Appeal from Circuit Court of City of Norfolk.

Bill by Mary R. Mahoney and others against Solomon Freidberg and others. From a decree for defendants, plaintiffs appeal. Affirmed.

*G. M. Dillard*, of Norfolk, for appellants.

*John B. Jenkins*, *G. Tayloe Gwathmey*, and *W. A. Graff*, all of Norfolk, for appellees.

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\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.